

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

CHARLA LYNN JOHNSON SMITH,)	
)	
Plaintiff,)	
)	
v.)	Case No. 2:11-cv-00561-AKK-PWG
)	
DEPUTY HOWELL, et al.,)	
)	
Defendants.)	

ORDER

The magistrate judge filed a report on June 29, 2011, recommending that all of the plaintiff's claims in this action, except the retaliation claim against Deputies Drake and Herbert, and the Eighth Amendment medical claim against Nurse Crawford, be dismissed for failing to state a claim upon which relief can be granted, pursuant to 28 U.S.C. § 1915A(b)(1). It was further recommended that remaining claims be referred to the magistrate judge for further proceedings. Although the plaintiff was advised of her right to file specific written objections within fifteen days, she has not responded to the report and recommendation.

Having carefully reviewed and considered *de novo* all the materials in the court file, including the report and recommendation, the Court is of the opinion that the magistrate judge's report is due to be and hereby is ADOPTED and his recommenda-

tion is ACCEPTED. It is therefore ORDERED that all of the plaintiff's claims in this action, except the retaliation claim against Deputies Drake and Herbert and the Eighth Amendment medical claim against Nurse Crawford, are DISMISSED pursuant to 28 U.S.C. § 1915A(b)(1). It is further ORDERED that the retaliation claim against Deputies Drake and Herbert and the Eighth Amendment medical claim against Nurse Crawford claims are REFERRED to the magistrate judge for further proceedings.

The Clerk is DIRECTED to serve a copy of this order upon the plaintiff.

Done the 28th day of July, 2011.



ABDUL K. KALLON
UNITED STATES DISTRICT JUDGE